

COMMISSIONERS APPROVAL

GRANDSTAFF 

ROKOSCH

THOMPSON 

CHILCOTT 

DRISCOLL 

PLETTENBERG (Clerk & Recorder)

Date.....June 30, 2008

Members Present.....Commissioner Carlotta Grandstaff,
Commissioner Jim Rokosch, Commissioner Alan Thompson and Commissioner Greg
Chilcott

Minutes: Glenda Wiles

► The Board met for various administrative matters which included the following
matters:

- Commissioner committee updates: Commissioner Grandstaff discussed the Weed Board and the resignation of one of the members. The Board vacancy advertisement has already taken place and today is the deadline for those applications. Commissioner Grandstaff also discussed the Fair Commission and the issue of rezoning the fairgrounds. She is working with the City of Hamilton and Fair Manager Gary Wiley in regard to this rezone, and this work is on going. In regard to the Hamilton Planning Board, Commissioner Grandstaff noted they are writing a planning/growth policy. In regard to the Health Board, Commissioner Grandstaff noted the Health Board recently denied a variance in the floodplain which closed down a house site by the river.

Commissioner Thompson noted he made a site visit on the Woodside Cut-Off noting some of the private road has been eaten away by the river. In regard to Western Montana Mental Health, Commissioner Thompson noted their budget is 'in the hole' at this time, which is worse in the summer due to the children's programs they run. He noted the new crisis house has been completed in Hamilton on Main Street. He believes this is a 4-6 bed crisis house. Funding continues to be an issue for mental health. In regard to Human Resource numerous loans and grants are occurring for low income home purchases. The CDC, Mental Health and Human Resource Committee have asked that Commissioner Thompson continue to sit on these boards after his tenure in

December 2008. Commissioner Thompson goes to Kansas City next week for the Public Lands Steering Committee. Funding for PILT has come in to Ravalli County and it is \$16,000.00 less than last year. Currently the PILT funding is 60% of normal (1.4 million compared to 2.2 million). Commissioner Thompson noted he has nominated Commissioner Chilcott to replace him as Representative to National Public Lands representing Forest Coalition. The RAC Committee meets once a month addressing the burned areas and projects within Ravalli County.

Commissioner Chilcott addressed the services of MR. TMA (Transportation Management) and management fees. In regard to BREDD (Bitterroot Economic Development); Commissioner Chilcott has been unable to attend the last two meetings due to agenda conflicts. In regard to RC&D, numerous programs are occurring and this board is a pleasure to serve on due to Kit Sutherland's leadership. The JPIA (work comp trust) is moving forward and Ravalli County is the model for other counties with the work that is being done on the Safety Culture Committee.

Commissioner Rokosch stated most of the Boards he sits on (Right to Farm, Open Lands etc.) are extremely active. Zoning is the one issue that all Boards are addressing, particularly the density issues. Discussion of the transition areas for density took place.

- I.T Director Joe Frohlich met with the Commissioners to discuss a panic icon on all computers within the county. Discussion included the Safety Committee's recommendation to place the icon on the desktop on the right hand corner of the screen and in the task bar at the bottom of the computer. These two places will allow any employee the ability to utilize the panic icon at any station within the county if needed. Also present at this meeting was GIS Director Ken Miller. Joe would also like to see each department work with 9-1-1 every six months to test these panic icons and to allow each department to utilize a program that Ken wrote to verify the sender's information to 9-1-1. Discussion included to have Ken write a 6 month reminder for testing within the program for the department heads. **This issue will be addressed with the Safety Committee the end of July.**
- The Board reviewed the IRS increase for mileage rates through December 31, 2008. The current rate is 50.5 with a changed rate of 58.5 cents per mile from July 1 through December 31st. **Commissioner Chilcott made a motion to adopt this change of mileage rate effective July 1st. Commissioner Rokosch seconded the motion and all voted "aye".**
- **Commissioner Chilcott made a motion to approve of the extension of the Stevens property on Kurtz Lane purchase to July 15th. Commissioner Rokosch seconded the motion and all voted "aye".**
- Public Health Nurse Judy Griffin stated they need to amend the Family Planning Grant which will add more monies to the master contract. This grant deals with contraceptives. Recently Judy was able to tap into another source for

contraceptives and was therefore not able to spend all of the extra monies for the Family Planning Grant. Judy will receive an amended budget today by fax and with those changes; she recommends the Commissioners approve of the amended family planning grant budget. **Commissioner Chilcott made a motion to grant this amended budget. Commissioner Rokosch seconded the motion and all voted “aye”.**

► Commissioner Thompson participated in a MACo Conference call in regard to the Secure Rural Schools.

► In other business the Board discussed the existing grants and coordinator position of grants within Ravalli County. Present were numerous Department Heads. It was noted numerous grants are done within various departments while others were handled by Skip Rosenthal prior to his departure. Commissioner Rokosch stated it is important for the Commissioners and Civil Counsel to review these grants on a timely basis. He noted many times during the year the Board obtains these requests at the last minute which could end up creating some problems through timelines and the ability to obtain future grants. Commissioner Rokosch felt if they had a Grant Coordinator they could develop more private partnerships and obtain more monies for the county. He noted many grants create liability due to the need to make sure the grants are administered and reported correctly.

Commissioner Chilcott asked the Department Heads for their opinions.

Special Grant Coordinator Marty Birkeneder stated many times they only have 30 days to have their grant completed and they have to ‘scramble’ to get them done within that time line.

Planning Director Karen Hughes stated she does not want to see the Departments stifled so they don’t feel they can obtain the grants, but it is important to have some support in making sure the reports are done correctly and closed out properly. She would like to see a better framework for review of the grants.

Judy Griffin stated they have had block grants for years. Their grants are very specific and they are very familiar with how these grants work. Occasionally they have a grant that is not their normal grant, but they have a good network of staff that has the ability to work with these grants. Judy realizes she could obtain more grants if her staff was larger.

Marty Birkeneder stated the financial booking program the county has makes it difficult to have a running balance. She has to utilize a separate booking system in order to close out her grant.

Judy concurred they too have to have a separate accounting system in order to track their grant monies for close out.

Karen stated the bookkeeping issue is difficult through Black Mountain, but Accounting has assisted them in that endeavor.

Commissioner Thompson addressed the previous Grants Administrator position and administrative funding for that position. He stated in order to start another position; there must be a salary, an office etc. and at this time the county does not have the money to do that, unless that person was a prolific grant writer and could obtain grants for the county. Some grants will become problematic such as the CTEP grants that have now been given to planning.

Commissioner Rokosch stated he feels it is appropriate for the grants to fund the administrative work needed for the grant work. Karen stated many times they roll the administrative fees into their match or in kind fees. Marty stated it depends upon the grants, but mostly the administrative fees pay the salary for the grant administrator.

Commissioner Rokosch stated some people are good at getting grants but not good at administering them.

Commissioner Chilcott addressed the plan for the Special Projects Coordinator's position that could evolve into a Grant Coordinator to not only write grants but assist the departments in administering and writing them. He suggested they boil down what the county needs. He asked Julie Foster (RCEDA Director) what kind of support she could provide the county. Julie stated these grants are time consuming and the administration fee should cover the cost of the labor.

Commissioner Grandstaff stated it seems there is a need for support, accounting software problems and to look for other grant opportunities. Commissioner Rokosch stated there appears to be enough needs in the grant area that they could develop Robert Jenni's position as the Human Resource Director into a grants administrator. Robert stated he is unfamiliar with grant writing but is detail oriented and could help in some regard. However, he wants to get a hold of his Human Resource Director position for the time being.

Marty stated if the county was willing to hire someone part time to administer the grants she could spend her time finding and writing the grants.

Commissioner Chilcott suggested they could blend some of the talents from all the departments, but it is important to have a 'go to person' for assistance.

Commissioner Grandstaff asked Administrative Assistant Glenda Wiles what her thoughts were in this regard. Glenda suggested the grants be housed in Commissioners Office with accountability from Department Heads until funds are available for a grant writer position or the Commissioners decide what they want to do in regards to administering or managing the grant. She concurred that just because someone can write grants they are not necessarily a good administrator or manager of grants. She noted the changes in the past of procedures and policies by different Commissioner Boards, also

noting it appears the best approach has been to allow the Department Heads the ability to seek out their grants, with some management assistance.

Lea Jordan stated she would like to see a written policy/procedure for the grants which includes the approval by the Commissioners. Marty suggested they have a working meeting with Department Heads in order to share the ideas on 'how to do' things. Commissioner Chilcott stated he would prefer to set up guidelines rather than policies and procedures. Guidelines will allow the Departments the ability and opportunity to develop grants.

It was agreed the Commissioners will re-visit this issue and possibly have Glenda set up a working session with Marci Allen of BREDD (Bitterroot Economic Development District) Kit Sutherland of RCEDA and the previous grants administrator as they can give some assistance on grant administration/tracking etc.

► In other business the Board met with John Lynn, the acting Director of Riverfront and Jerry Miller the mental health counselor for the Ravalli County Detention Center. It was noted Civil Counsel Karen Mahar had made some edits on the current contract which included the change in dates and the removal of the Mental Health Education on page 2. She also suggested a different point of contact for the Mental Health Assessment being Angela Wetzsteon (of the County Attorney's Office) and the Agency Agreement Representative being Rich Gangel for the Riverfront Counseling and Support Center. It was noted the cost and payment schedule of \$70,047.50 is the same as last year with the contribution to Western Montana Mental Health being \$30,000.00 in budget year 08. In regard to the responsible individual to oversee the conditions of the agreement for the county, Board discussion included utilizing the Commission Chair until the Board visits with Civil Counsel Karen Mahar to see if she could be the individual to oversee the conditions of the agreement.

Jerry noted they did not do any training last year but they hope to start up late August or September which will be two eight hour training days.

Discussion of funding included the Medicaid match. John stated he is concerned about the increased cost of commitments that are coming out of Ravalli County. They recently started the crisis center with a head nurse to oversee the prescriptions which should help reduce the county costs. John stated they are the only mental health service in the state that has these mental health crises, rather than sending the people to Warm Springs or St. Pats.

Commissioner Chilcott made a motion to approve of this contract amending Section 3 (installing Angela), removing Section 4 (Skip for Commission) changing this to the Chair until they visit with Karen Mahar. Also to leave the training session and changing the dates. Commissioner Rokosch seconded the motion and all voted "aye".

► The Board met with Juvenile Detention Director Cal Robinson and Department of Corrections Licensing Agent Marwan Saba for an update on the medication distribution in Juvenile Detention. Cal noted per their licensing agreement with the Department of Corrections the County must comply with Montana Law (20.9.623) which states the county must administer medications to all youth in a detention facility by licensed personnel. The law must be implemented by August 25, 2008. Currently the county has a contract with Spectrum Medical, but these services are for the adult detention facility. Spectrum Medical has stated they can provide that service by a Registered Nurse, but they want an additional \$30,000 to handle the juvenile detention facility.

Discussion included the amount of youth that needed medication from July 1, 2007 through April, 2008, which was a total of 78 days (with the possibility of multiple doses); the possibility of adding this dissemination of medicines and health screening for juveniles within the Health Officer position. Discussion included the use of the Public Health Nurses Office to disseminate any medicines; however Public Health Nurse Judy Griffin and the Registered Nurses in her office were not interested in disseminating any medicine due to their time constraints and their licensing agreement as Registered Nurses. Cal stated if the Registered Nurses disseminated the medicine during the week day; the staff could be trained on the weekend dissemination of medications. Overtime for staff was discussed. It was agreed to have Glenda check with the Human Resource Director to ascertain if the job description has been posted for the Health Officer and to schedule a meeting with Judy Griffin to discuss this issue again. Commissioner Grandstaff will check with Dr. Ellyn Jones (Health Board Member) to ascertain if she is interested in this work for the county). Marwan stated Spectrum is contracted with Cascade County. In Flathead County the staff gives the medicine with the Nurse overseeing the administration of the prescriptions. Marwan stated his recommendation is that the Health Officer oversees this practice with the Nurse handing out the actual prescription.

► In other business the Board met to discuss and decide on decommissioning the crossing on Middle Bear Creek Road. Numerous residents were in the audience. Commissioner Grandstaff stated one of the residents addressed Commissioner Rokosch about the failure of a culvert and possibly decommission the crossing. No decision has been made. Commissioner Rokosch stated one of the residents (Mr. Aarastad) addressed not replacing this culvert and possibly other residents were interested in not replacing this culvert. The resident stated there would then be less traffic and less maintenance. Commissioner Rokosch stated he discussed this issue with the Road Supervisor who has the intention of replacing this culvert, possibly with a bridge. Commissioner Rokosch stated before any decision to decommission the crossing occurred, they would need to visit with other entities such as the Sheriff's Office, Fire personnel etc. Commissioner Rokosch stated it is unknown how this project would be funded.

Commissioner Grandstaff read an email from the Road Supervisor which stated in part *"he has received several residents comments; they have not determined any costs, and sees no reason to close the road. This is a long time school bus route and they do not recommend permanent closure"*. Also, *"the Road Department has other issues they are*

currently handling, and the decision will need to be addressed because of budgetary issues. He hopes this matter will be handled by the end of July”.

Commissioner Grandstaff opened the issue up to public comment.

Eugene Aarastad stated this road is a problem for the travelers. This road had a bridge that was washed out. The R/R ties are still in the water along with rebar and concrete. Eugene stated he watches the wildlife that comes up over the road. One of those animals is an endangered species. Eugene presented a petition stating they would like this road closed off. The road is now being utilized by many people who do not live there. He would like to see the horseback riders have the ability to ride without the traffic that drives 60 miles per hour. The road is wash boarded and there is a lack of maintenance by the Road Department. If the road was closed to through traffic, it would cost the county less. Any through traffic can go around and only add about 3 miles.

Commissioner Grandstaff stated Road Supervisor's email also addressed the fact that the repair effort will only be done when the high water declines.

Eugene stated there should be no problem with emergency services to dead head this road.

Dave Meadow - represents the Victor Fire Department. Dave read a memo from the Fire Chief who addressed having to go around (see his memo); one adds 3.2 miles, other adds 5.8 miles. Response to any address above 2100 Middle Bear Creek will add at least 3.2 miles which will add another 20 minutes of time response. The Victor Volunteer Fire District does not want a close down of this road.

Michael Koney fronts Middle Bear Creek Road. His family works in Hamilton and goes to school in Hamilton; so this would make each of his trips an additional 6 miles. That would add about 24 miles per day which would cost an additional \$200.00 plus a month. He appreciates the Victor Volunteer Fire Department's comments for public safety and when he purchased his home at his location, there is an expectation the county road would be there and continue to be there. If it is closed, that expectation is not met. There are three culverts that are substantially buried. The landfill over the water way should not be removed, as logs have plugged up the inlets. That is probably why it washed out. A little maintenance by the Road Department would go a long way to alleviate further problems.

Michael Brady stated he lives at 2254 Middle Bear Creek Road. He and his wife liked the convenience of being able to travel right to Highway 93. He stated Mr. Aarastad wanted it closed and was passing around a petition in order to save himself money by not having to oil the road. He stated the postal, disposal service and school bus would add miles to their route. He agreed with the culvert being washed out, Mr. Aarastad now has less traffic, but now personally he has twice the traffic. Minutes count in being a 'first responder'. In regard to dust and traffic, Mrs. Aarastad told a story about another resident chasing her son down the road for kicking up dust. Obviously the Aarastad's

don't want any traffic, but they don't care if the rest of the neighbors have two times the traffic.

Merle Unruh lives by this road. In regard to the wash boards, as a student along time ago, his head is still bobbling. In the 1970's his parents lived on the south side of Fred Burr Creek Road. The road was washed out and they had to make a longer trip. Within a few weeks, the historic bridge was fixed. Health and safety is an important issue; a good example is the subdivision decision the Commissioners face during the week. This too is a residential subdivision. For Middle Bear Creek Road to be considered a cul-de-sac does not fit historically. Within the Commissioners Journal on June 6, 1893; the Commissioners acknowledged this to be a county road. A new bridge was built in 1934. From 1954 forward there were a total of four bridges running north and south. In Commissioners Journal - book 7 – page 61 this is shown as a county road. Therefore this is historic use with continued use. To close this off would be arbitrary.

Brian Cromwell lives on the south side of the closure. He gave the Commissioners a letter from another resident by the name of Mary Waymire who could not be here today. Brian stated the Commissioners need to look at this as a matter of a whole community, not just one resident. Just north of the turn around, there is some heavy wooded area that could cause some problems with a fire and having an escape route. Medical services are also an issue for increasing the miles. In regard to the animal that is on the endangered species list, 'it sucks to be him'. Lets not close the road like California does.

Cary Store lives on Middle Bear Creek Road. She does not want the road closed. She stated no one asked her if she wanted to sign the petition. She asked why they do not have the funds to fix this road and she asked if anyone asked the Red Crow residents if they liked the increased traffic now. In regard to the endangered species, sorry to the animal.

Commissioner Grandstaff read a portion of the email from Road Supervisor; *"the permanent replacement may be a budgetary matter not the temporary issue"*.

Commissioner Rokosch stated the temporary fix could limit the weight of the vehicles.

Irene Golder stated she lives at 2297 Middle Bear lives and has for 47 years. It has always been an open road and it should be left open.

Dennis Golder rode the same school bus like Merle did. He travels from Lost Horse Creek and it is an inconvenience to go all the way around. He concurs with those service industries and the emergency services; i.e., adding miles and response time. He would like to see the bridge replaced. Creosote is a common chemical utilized in wood for bridges. Public safety, convenience and adding to everyone's miles would make undue hardship to the citizens and county.

Scott Hackett rents land on Middle Bear Creek. When this bridge washed out, the Red Crow Bridge almost went out. This needs to be fixed, because if Red Crow goes out, they have no bridge.

Kathy McCarter lives on Tushapaw. Recently there was a fire that got away from a neighbor and she had to sit with a hose to protect her horses. Had the road been closed, her horses would have died. She is also a diabetic and passed out in the middle of the night needing ambulance service.

Mike Stall the postmaster in Victor emphasized in regard to the rough road. They would not like an additional 5 miles a day which would be another \$10.00. Important not to delay any medical services.

Lyle Krayle stated there have been two life and death instances at his home and he lives off of Middle Bear Road. He also lived on North Fork Road and knows the importance of having a bridge in order to make it to your destination.

Commissioner Thompson addressed the formal process to abandon a road. He would not be in favor of closing this only leaving one way out. He does not think a petition like this would make much traction.

A guest asked about the petition that Mr. Aarastad presented which only had 17 or 18 signatures. The guest asked for a show of hands for those that opposed this closure. All guests with the exception of Mr. Aarastad raised their hands.

James Smith does not live on Middle Bear Road, but lives off of Red Crow. He asked why the road maintenance is so poor. They grade the road; but they never cut the roads out, nor do they utilize water trucks. Commissioner Grandstaff stated that would be a question for the Road Supervisor.

Jenny Euter will have two children on the school bus. Her house is ¼ mile from the bus route, and if this culvert is not replaced the kids have to walk further.

Commissioner Thompson stated in the last 10 years, the number one issue is roads, which is the same as other counties. Budget is an issue, particularly in light of Secure Rural Schools not being funded at \$216,000.00. The Commissioners will try to drive Red Crow Road and see what condition it is in.

An audience member stated if they did drive it they would order the Road Supervisor to fix the road; and properly, not just a few pot holes.

Clayton Cotal lives on Eagle Feather off of Middle Bear Creek Road. He asked if they should get a petition of their own to keep this road open. The Commissioners advised him no.

Joel Vierra asked if they could establish a weight limit. He also asked why there was no maintenance.

Commissioner Chilcott made a motion to table this discussion indefinitely.

Commissioner Thompson seconded the motion. Discussion: Commissioner Rokosch stated the Commissioners want to be open to the public and Mr. Aarastad brought this forward for consideration. To go any further, a formal petition would need to be filed. Commissioner Rokosch appreciates everyone showing up and he feels the public health and safety are major concerns. When he visited with the Road Supervisor they discussed a bridge replacement. They are looking at Fish Wildlife and Parks to ascertain if there are funds to help install a bridge. Multiple culverts do fail, so they would like to move forward with a bridge replacement. Culverts are cheaper at the beginning but not over all. Commissioner Rokosch suggested everyone look at their tax bill and see what goes toward the road department; it is minimal for the level of operation and maintenance. **All voted "aye".**

► In other business the Board met with Environmental Health Director Lea Jordan in regard to the approval of a DEQ Contract for 319 Funds. It was noted County Attorney George Corn made a review of the 319 Funds Agreement with concerns of conditions. Lea stated she is aware of the requirements and conditions and is agreeable to them. Lea finds no substantive concerns as to the terms. Lea stated they are utilizing the coupons for 300 homes to have their septic pumped at a reduced amount, labor for water collection by Environmental Health, High School students, and Scientia for water analysis. The coupons for septic tank pump is worth \$75.00, and the balance of the monies paid for by the residents are also in kind contributions. Lea stated the county match is all in kind. The funds are to implement a source water protection water plant which will assist Hamilton in protecting their water supply. The City of Hamilton is also giving some staff time for in kind. Commissioner Chilcott's concern included the fact that the city charges for this water; thus they are the ones to benefit, so why utilize county wide resources to do this grant. Lea stated at the time they were looking for water quality issues, and found this money from the 319 funds which targets the drinking water. This is a problem for the county as it is a direct line from those county residents to the City of Hamilton's drinking water. Commissioner Rokosch stated this protects not only Hamilton's ground water source but to those county residents in this problematic area. Commissioner Chilcott expressed concern about the proportionality; as it seems the county has more in-kind with the city gaining the benefit. Lea stated they qualify for the funding as they look at the water supply with numerous county residents living with wells and septs. They are attempting to gain a base line for water testing in that area, in order to review the groundwater issues.

Lea hopes to utilize other 319 grants in the future and this is a good way to start.

Commissioner Rokosch made a motion to have Chair sign the 319 Funds agreement with DEQ (Contract 208037). Commissioner Chilcott seconded the motion and all voted "aye".

► In other business the Board met with Planner Shaun Morrell for a update and discussion on Countywide Zoning. Shaun presented a hand out (as attached). Also present was Planning Director Karen Hughes. Shaun presented a recap for the revised time line for this project. Personnel changes coming up in their department also precipitated this memorandum as well as their assessment for the mapping projects. They would like to put the mapping on hold until they approve of a draft of the regulations which they hope to have the end of July, and then see if the public approves by the end of August. They are proposing to have planning take over the mapping rather than Clarion. The earliest they expect a draft map is the early part of November as long as the regulation draft has met with citizen and commissioner approval. The Commissioners hearing would then adopt in April 2009, with a 30 day protest period and hopefully final adoption in May 2009.

Commissioner Grandstaff questioned the mapping. Shaun stated it was helpful to have Clarion initiate the mapping, but at this point Planning Staff and GIS have a better handle on the areas for site visits and the ability to meet with community groups and members. Clarion can trouble shoot certain area such as the airport influence areas and mapping methodology.

Karen stated this will provide more assistance to the county by Clarion for the regulations. While it will require an amendment to the contract, it will also affect the fee as it is based on an hourly rate. Their assistance on the regulations will offset their work on the mapping.

Commissioner Rokosch asked about moving this time frame out 6-7 months. He asked if the regulations could be separated out from the maps; which are a legal question answered by the County Attorney's Office that now indicates they can be separated.

Commissioner Thompson stated this won't be finished while he is office. That is good news and bad news. The bulk of the comments he is hearing is to slow down and make sure the product is a good one.

Commissioner Chilcott stated separating the maps and regulations is a good idea. The legal opinion provides that there be two 30-day protest periods.

Commissioner Grandstaff stated any delay is the Commissioners' doing, as it is important to have a quality document the Board can stand behind. Therefore she understands the need to extend the time line. Commissioner Rokosch stated they will need to review an interim measure for the 1 for 2 zoning in November, 2008. Commissioner Grandstaff stated Civil Counsel Karen Mahar is willing to research this question. Commissioner Chilcott stated they were told that extension was not an option; rather they would need to develop something very different from what exists now.

Commissioner Rokosch stated they could look at adoption of certain areas; in other words some CPC's are further along than other CPC's. Karen asked about restructuring the zoning districts when they have not even settled on the districts. That provides some

difficult issues for them to deal with. She stated the idea is to obtain a good framework that everyone can use in order to move this along. If that is changed it creates something contrary to what they are working on now.

Commissioner Rokosch stated it appears they can separate the mapping from the regulations. Commissioner Chilcott stated zoning regulations are not enforceable without zoning maps. Secondly if they adopt regulations without maps and then try to enforce the regulation in the subdivision review process it becomes problematic. That could be perceived as a backdoor way to 'fix something'. He stated simplicity is important to him. Regulations and maps should be the complete set, allowing everyone to see what they are talking about. Doing it in pieces creates a problem for the citizens and Commissioners. Many people are concerned about the November deadline and how the subdivisions could flood into the Planning Office. He stated he does not have the answers to that.

Commissioner Rokosch stated he too has those concerns, but that might be the reason they need to piece meal the maps and the regulations. He stated he does not want to extend the 1 for 2. Commissioner Grandstaff concurred with that. She stated she wants Civil Counsel Karen Mahar to weigh in on this.

Commissioner Chilcott and Thompson stated a citizen can not protest something if they don't have the whole package (information necessary to have an understanding and make viable comment).

Commissioner Rokosch stated there will be some areas that will be unmapped and without regulations upon the final adoption.

In regarding to adopt this timeline for countywide zoning, Commissioner Rokosch stated he wants to review this memorandum. Commissioner Grandstaff stated she feels comfortable with this new timeline. Since the agenda does not reflect the decision on the time line, Commissioner Chilcott suggested they put that decision off for the time being. While he supports this new time line, he also feels it is ambitious because it is important to allow public comment.

Karen stated project funding was not necessarily based on the time line, but for the amount of work. She does not anticipate this increasing. She actually felt they might come in under what they originally anticipated. Commissioner Rokosch asked if this would affect her budget proposal. Karen stated it will not create much change, just allocation of time.

The Commissioners have some concurrence to this time line, but will have more questions for legal counsel. Therefore this decision will be addressed at a later date.

Karen addressed the budget being out of whack due to the regional planning conferences. She asked for approval to send some of her staff to two different conferences with four planners in the amount of \$2,900.00. The Commissioners concurred that these registrations can be sent in.

Karen also addressed the issue of revisions to the regulations which will be discussed during the planning update on Thursday.

Public Comment: Less Rutledge asked about scheduling a Planning Board during the public hearings. Karen stated they will work those dates out.

Stewart Brandborg of Bitterrooters for Planning stated this represents a good change for this long effort. While they have seen deadlines come and go, they also understand the need for a quality product. He felt mapping is critical to the evaluation of the resources. He felt it is important to have a careful legal interpretation of what they are doing, particularly in regard to subdivision applications after November's deadline.

Kathy Rubik stated when she got involved in the CPC she was told the previous Board of County Commissioners have a blue print for destroying this process. She is afraid what they are doing is laughable.

Chuck Rubik stated Commissioner Chilcott and Commissioner Thompson are right that you need mapping and the draft at the same time. On the other hand, if we don't rush this, this can go on for another 5 years. We must have a reasonable time frames. Today's document is very weak, the deliverables are weakly stated. They utilize early estimates. There should be something that holds people's feet to the fire. The planners need to go and meet that November deadline, work overtime etc., look for more resources from the community. This has been weakly managed, and thus he is disheartened. The legal questions are taking too long to be answered. Missing the November deadline was a possibility, and this should have been answered long ago, not in the next few months.

Brian Glen stated there needs to be an extension of the time line so a better product is put out. The damage of adopting something incomplete will be immense.

Jack (unknown last name) stated the Commissioners should find out the legal deadline before they even talk about extending, other wise they do not have a handle on what they are discussing. Commissioner Grandstaff stated November is simply the deadline for the 1 for 2. Jack stated there is a deadline for the interim zoning, thus they should demand the timeline should be followed.

Michael Howell stated the development community made their voices known when the issue of subdivision review was stopped, and then there was a large lawsuit.

Commissioner Chilcott stated Michael should read the law suit, as the Commissioners were not meeting the time review for years, and Michael is misrepresenting this issue. Commissioner Chilcott asked Michael what drove them to the law suit. Michael stated it was not meeting the time lines. Commissioner Chilcott asked what that lawsuit had to do with interim zoning. Michael admitted the lawsuit had to do with this issue.

Commissioner Grandstaff stated Planning is following the Commissioners direction, the Planning Staff is not 'lolly gagging'. Legal questions have been answered by the County Attorney's Office also. There are numerous legal reviews needed for other departments and the Commissioners had to prioritize the legal staff's work which zoning is at the top of that list now. Planning is responsive to the Commissioners, and the Commissioners are dealing with statutory deadlines for other issues. Many citizens are not aware of this. She stated she has no complaints with any response from their staff members.

Commissioner Rokosch stated this memo does not allow the planning staff to take a deep breath then relax a little; rather it continues to push the matter forward and keep the community involved. He feels it is important to have a full review of land use usability in order to make this a good product. He stated this extension of 6 months will give them more time to answer the questions that have been asked of them.

Commissioner Chilcott stated Planning Staff works like race horses and he too is pleased with their progress. He stated he understands the frustration by the citizens, but what is occurring has occurred in a very timely and ambitious fashion. He stated the citizens are blessed to have the kind of planning staff they have.

Commissioner Grandstaff stated there is a saying she learned as a journalist which bears repeating at this meeting; 'you can get it first or get it right'.



Memorandum

Date: June 30, 2008
To: Board of County Commissioners
From: Karen Hughes, Planning Director *KPH*
Re: Proposed changes to the countywide zoning project timeline
Attach: Calendar

In an effort to produce a quality countywide zoning proposal and to accommodate upcoming personnel changes within the Planning Department, staff proposes to amend the timeline of the countywide zoning project as outlined herein. The major shifts proposed in the County's approach are summarized below and illustrated on the attached calendar. The timely completion of any major task will depend upon the timely completion of all preceding tasks; any delay of one project component is likely to result in the delay of other components, as well as the final adoption process.

Development of Proposed Zoning Regulations

1. The immediate priority is to produce a publicly acceptable draft of the zoning regulations. This means progressing with the July 7-9 work sessions as planned, with the publication of the Draft C zoning regulations around the end of July. However, this time frame is contingent upon the resolution of several issues; the publication of Draft C may be delayed if these or other significant issues remain unresolved:
 - o Options for rural districts (i.e., deciding between a one dwelling unit per 10 acre district, or a one-per-10 and a one-per-40)
 - o Feedback from municipalities and sewer districts on the urban district proposal
 - o Proposals for changes to the landowner tools such as cluster/conservation design developments
2. Planning Department staff and Commissioners will conduct an internal review of Draft C to identify any "red flags" prior to broad public release.
3. Clarion Associates will return to Ravalli County during the first half of August to conduct a public presentation/workshop on the Draft C zoning regulations.
4. Public comment on the Draft C zoning regulations will be accepted for approximately one month following publication. Planning staff will review and compile public feedback, as was done for the Draft B regulations, with a report to be published in early September.
5. Assuming that Draft C meets with general public satisfaction, a fine-tuned version of the regulations will be released by Clarion Associates in October as Draft D and forwarded to the County for departmental and legal review. If Draft C is not generally satisfactory, more time may be required for additional drafting and mapping.

Development of Proposed Zoning Maps

1. Primary responsibility for the creation of the Draft 2 zoning maps will shift from Clarion Associates to the Planning Department, with Clarion serving as a technical advisor and PPRI staff helping facilitate meetings when necessary and as resources allow.
2. Mapping work through the months of July and August will consist of:
 - a) Compiling and digitizing public comments into summary maps and tables
 - b) Holding a limited number of meetings with stakeholder groups to explore mapping issues on a countywide scale
 - c) Creating one or more "interim" draft maps highlighting areas of agreement and dispute, based on public comments
3. Once it is determined that the draft regulations are generally satisfactory to the public (hopefully this will be evident by late August), project focus will shift to the preparation of the Draft 2 zoning maps.
4. For the purpose of organizing the mapping effort efficiently, Planning staff will focus on an area-by-area basis from south to north by pairing districts (Hamilton-Corvallis, Victor-Stevensville, Lone Rock-Florence). The final products will be officially released as a single package (not community by community) to allow for border issues and countywide issues to be worked out and to streamline the public comment process.
5. Geographically specific meetings will be held with citizens and organizations from September to November.
6. The Draft 2 zoning map will be published as early as the end of November.

Official Public Review and Adoption Process

1. Assuming completion of the Draft 2 maps and Draft D regulations around the end of November, final public comments on the proposal will be accepted until the end of the year.
2. Planning staff will prepare draft administrative procedures, forms, and fee schedules starting in December and continuing through the hearing process as amendments are made to the proposal.
3. The Planning Board's public hearing draft of the zoning proposal (maps and regulations) will be published mid-January 2009, following completion of final revisions and departmental / legal review.
4. Planning Board public hearings will take place in January and February, with a final recommendation issued around mid-February.
5. The Board of County Commissioners' public hearing draft will be published toward the beginning of March.
6. The Board of County Commissioners will hold public hearings in March and April 2009. If adopted, an "intent to adopt" would be issued in April.
7. Staff will work with the Clerk and Recorder's Office and the County Attorney's Office to assess protests during the 30-day protest period. During this time, staff will also work to finalize the administrative materials.

8. Following the protest period, assuming no successful protest, the adopted zoning regulations will become effective around May 2009.
9. Depending on how many amendments are made to the zoning regulations throughout the public hearing process, it is expected that administrative materials will be reviewed and adopted shortly following Commission action.

Calendar of countywide zoning project events (proposed)

Attachment to Planning Department memorandum of June 30, 2008

July 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 Workshops on Draft B regulations	8	9	10	11	12
13	14	15	16	17	18	19
	(All month) Planning staff continues synthesizing public comments on the Draft 1 zoning maps, conducts preliminary meetings with stakeholder groups					
20	21	22	23	24	25	26
27	28 Preliminary Draft C regulations reviewed by staff and Commissioners	29	30	31 Draft C regulations published		

August 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
	Clarion Associates conducts presentation / workshop on the Draft C regulations					
10	11	12	13	14	15	16
	(All month) Planning staff continues synthesizing public comments on the Draft 1 zoning maps, conducts preliminary meetings with stakeholder groups					
17	18	19	20	21	22	23
	(All month) Public meetings, open houses, and other events held as necessary to gather input on the Draft C regulations					
24	25	26	27	28	29	30
	Public comment on Draft C regulations due					
31						

September 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
	Planning Department synthesizes Draft C public comments					
7	8	9	10	11	12	13
14	15	16	17	18	19	20
	(All month) Planning staff meets with geographic-specific groups on mapping issues					
21	22	23	24	25	26	27
28	29	30				

October 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
	Clarion Associates fine-tunes draft regulations and publishes Draft D					
5	6	7	8	9	10	11
	(All month) Planning staff meets with geographic-specific groups on mapping issues					
12	13	14	15	16	17	18
	Departmental and legal review of Draft D regulations begins					
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
	Planning staff wraps up meetings with geographic-specific groups on mapping issues					
16	17	18	19	20	21	22
23	24	25	26	27	28	29
	Planning staff publishes Draft 2 zoning maps (earliest estimate)					
30						

December 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
	Planning staff begins administrative preparations (ongoing until final adoption)					
21	22	23	24	25	26	27
28	29	30	31			
Public comments on Draft 2 maps and Draft D regulations due						

January 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
		Planning Board public hearing draft of maps and regulations published (earliest estimate)				
18	19	20	21	22	23	24
25	26	27	28	29	30	31
		Planning Board public hearings commence (earliest estimate)				

February 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
	Planning Board public hearings conclude; recommendation issued (earliest estimate)					
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	BCC public hearing draft of maps and regulations published (earliest estimate)					
8	9	10	11	12	13	14
15	16	17	18	19	20	21
	BCC public hearings commence (earliest estimate)					
22	23	24	25	26	27	28
29	30	31				

April 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
	BCC public hearings conclude; intent-to-adopt issued (earliest estimate)					
5	6	7	8	9	10	11
12	13	14	15	16	17	18
	(All month) Planning staff completes administrative preparations					
	(All month) Processing of written protests					
19	20	21	22	23	24	25
26	27	28	29	30		

May 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
Completion of 30-day protest period and adoption of zoning (earliest estimate)						
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**WE THE RESIDENTS OF MIDDLE BEAR CREEK RD. REQUEST THE ROAD
BE LEFT, A NOT A THRU ROAD.**

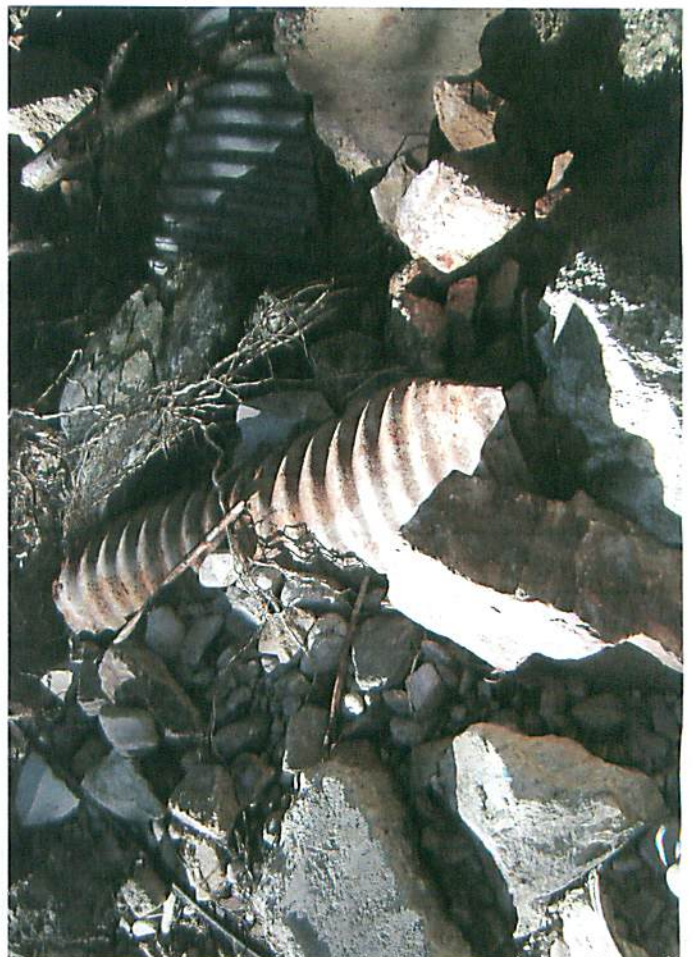
1. To improve the air quality.
2. To improve the protection of wild life.
3. Will reduce maintenance cost to county.

NAME

ADDRESS

Janet Aarnestach	2111 Middle Bear Cr. Rd
Eugene Aarnestach	2111 Middle Bear Cr. Rd
Gene Kaser	2119 M.P. BR CRK RD
Marlene Rupp	445 Wellman Lane
David M Fowler	2326 Middle Bear Cr
Ruth Placner	2228 Middle Bear Cr.
JOHN L. HICKMAN	2129 Middle Bear Creek Rd
John L. Hickman	2354 Middle Bear Cr Rd
John L. Hickman	1926 Middle Bear Cr Rd
John W. Grier	2097 M. Bear Creek Rd.
Conchita Harris	478 Tushapaw
Ethel M. Harris	478 Tushapaw 2091 Middle Bear Cr.
Wanda G. Givens	2040 Middle Bear Cr Rd.
Paula Tipton	1999 Middle Bear Cr Victor
Gene Tipton	1999 Middle Bear Cr Victor
Karen Fowler	2526 Middle Bear Cr. Victor Mt.
John L. Hickman	2129 Middle Bear Cr Rd







TO: TOMMY DOBBERSTEIN
CHIEF - VICTOR Vol FIRE DEPT

RE: MIDDLE BEAR CR CLOSING

MILAGE FROM INTERSECTION OF PLEASANT VIEW AND
MIDDLE BEAR CR TO BLOCKAGE AT 2100 MIDDLE BEAR -
1.3 Miles

MILAGE FROM BLOCKAGE AT 2100 MIDDLE BEAR BACK TO
PLEASANT VIEW, WEST ON PLEASANT VIEW, SOUTH ON
REB CROW AND BACK TO MIDDLE BEAR SOUTH OF THE
BLOCKAGE -

3.6 MILES

ADDITIONAL MILAGE TO SOUTH END OF MIDDLE BEAR
CAUSED BY ROAD CLOSURE FROM MAIN FIRE HALL -

2.3 MILES

ALTERNATE ROUTE FROM MAIN FIRE HALL - SOUTH ON
HWY 93, WEST ON BEAR CREEK, NORTH ON TUSHAPAW
TO SOUTH END OF MIDDLE BEAR CR -

5.8 Miles

THE ADDITIONAL TIME TO RESPOND FROM THE
MAIN FIRE HALL TO THE SOUTH SIDE OF MIDDLE BEAR
CAUSED BY THE ROAD CLOSURE IS DIFFICULT TO
MEASURE AS THIS DEPENDS UPON TRAFFIC AND
ROAD CONDITIONS

CONVERSELY, APPARATUS RESPONDING FROM THE BEAR CR SUBSTATION TO NUMBERS 2100 AND ABOVE ON MIDDLE BEAR CR AND TO EAGLE FEATHER, MONTANA WAY, PARTS OF PLEASANT VIEW, VISTA RIDGE, ROBIN LN AND BITTERROOT VIEW WILL INCUR AT LEAST THE ADDITIONAL MILEAGE TO TRAVEL (2.3) AND TIME DELAYS IF MIDDLE BEAR CR REMAINS CLOSED.

FOR EXAMPLE, SHOULD A FIRE OCCUR AT 2111 MIDDLE BEAR CR ROAD, THE RESPONDING APPARATUS FROM OUR BEAR CREEK SUBSTATION WOULD HAVE TO TRAVEL AN ADDITIONAL 3.6 MILES

DAVE MEADOW

**Mary Waymire
2031 Middle Bear Creek Road
Victor, Montana 59875**

June 25, 2008

Dear County Commissioners,

I live on Middle Bear Creek Road, just south of the south fork of Bear Creek. I have lived there for 41 years. It has been an ideal place to live. I was just 4 miles on Middle Bear Creek Road from Victor. My bank, post office, grocery store, restaurants, businesses & friends are in Victor. Now I have to drive way around to get to Victor. I am a widow and have limited financial means. With the gas prices being so high it has been a hardship on me dealing with the culvert washing on Bear Creek. I was shocked to find out that there was a possibility that the crossing problem would not be fixed. Why all of a sudden is the repair of this crossing in doubt? What is happening that the unhappiness of a few people over the traffic and dust could make such a hardship for the rest of us?

This affects so many people: The ability of emergency vehicles to reach us in a timely manner - both the fire and ambulance. Our post office deliverers having to double back on both sides. The same doubling back for our trash pickups, newspaper deliverers, propane service, meter readers, United Parcel Service, school busses and the daily business that goes on. There are many workers that come from the north and have added miles to their drive every day. People north of the crossing use it to go to Hamilton. Now they have to backtrack through Victor. This adds sometimes 8 miles to their trip - each way!

Please, repair the crossing.

Mary Waymire

A handwritten signature in cursive script that reads "Mary Waymire". The signature is written in black ink and is positioned below the printed name.

Carlotta Grandstaff

From: David Ohnstad
Sent: Friday, June 27, 2008 9:10 AM
To: Carlotta Grandstaff; Alan Thompson; Greg Chilcott; James Rokosch; Kathleen Driscoll
Subject: FW: Middle Bear Creek Road

Good Morning -

As noted before we do not, and will not, recommend permanent closure of Middle Bear Creek Road.

The roadway was closed following significant high water the second week of May. We physically restricted access to or through the area of structure failure to prevent roadway users from attempting to drive through the damaged area, which could have resulted in serious personal injury and vehicle damage. The permanent repair or replacement of the crossing structure is being evaluated. Temporary repair of the existing structure and (at least partial) re-opening of the roadway will be pursued when stream flows recede sufficiently to facilitate that repair effort. Even with the closure neighboring residents still have full access to their property, although we will not question a degree of inconvenience. With that given, we have focused on other priorities over the past month, including emergency high-water response, emergency pavement repairs and dust abatement applications. This decision reflects priority and is not indicative of a lack of interest, nor is it a budget question. The permanent replacement may be a budget issue at some time, the temporary repair, if it is determined that such can be reasonable effected, is not. Should we determine that reasonable effort will allow us to re-open the roadway, although perhaps in a limited capacity, we will most certainly do that. Upon my return, and should the weather and stream flows cooperate in the intervening two weeks, we will address the more immediate issue of temporary repair and would anticipate that such could be effected before the end of July.

David

From: David Ohnstad
Sent: Tuesday, June 17, 2008 10:36 AM
To: Commissioners Department
Cc: Karen Mahar
Subject: FW: Middle Bear Creek Road

Middle Bear Creek Road is functionally classified as a Minor Local Access Roadway and has a current ADT of 208. The culvert structure that was damaged during the high water event of last month, which led to the temporary closure, is one of 23 similar installations (multiple pipe structures carrying natural streams) throughout the county. There is another similar structure just north of the current closure. The temporary closure is expected to remain in place for some time while we assess options and resources. We have received concern over any permanent closure from other roadway users. We could not recommend permanent closure at this time. It may be something to consider in the future, we see no compelling reason to address permanent closure at this time, without benefit of estimates costs of replacement or potential resources to finance such, and without more comprehensive review of the potential impacts to traffic patterns and to access for area residents and service traffic.

From: James Rokosch
Sent: Friday, June 13, 2008 2:50 PM
To: Beth Perkins
Cc: Commissioners Department; David Ohnstad; Karen Mahar
Subject: Middle Bear Creek Road

I met briefly this AM with Eugene Aarrestad, who owns the land at the road crossing that had the culvert failure this spring. He would like the BCC to consider decommissioning the crossing, making Middle Bear Creek Road a dead-end road from both directions, and offered the necessary land to construct cul-de-sac turnarounds. He indicated the neighborhood residents were supportive. I think this merits our consideration. Cost reductions to the county could be considerable. I told him I would contact the Road dept & County Atty's office for input and would want all those involved with emergency services to weigh in also. Should we pursue this further?

USPS 34 customers = delayed here

6/27/2008

June 30

1:30

Carlotta Grandstaff

From: David Ohnstad
Sent: Thursday, June 26, 2008 3:52 PM
To: Carlotta Grandstaff
Subject: FW: Middle Bear Creek Road

Carlotta –

I have received several telephone calls from (very) concerned residents and other roadway users – I suspect several will attend the meeting on Monday

The cost of repair or replacement of the failed structure is what it will be – and we have not determined as of yet what that cost or those options may be. I see no compelling reason to even consider permanent closure at this time – the roadway can not be any more physically closed than it is now. As for permanent closure – Middle Bear Creek Road is a long-time School Bus route as well as a significant connecting route leading into the townsite of Victor and to U.S. Highway 93.

We would not recommend permanent closure.

David

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6/26/2008

- 1954 Road Book -

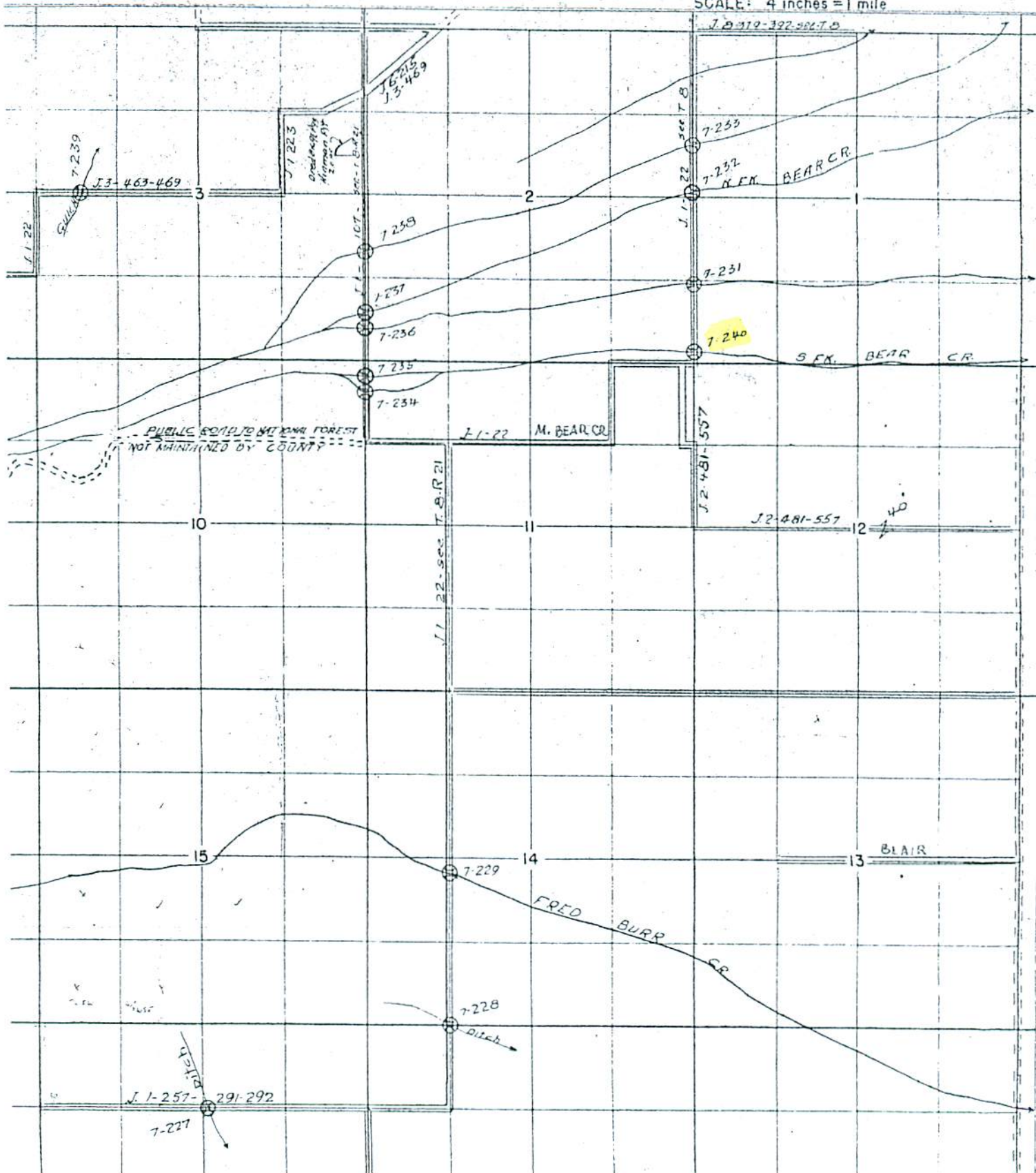
RAVALLI COUNTY, MONTANA.

7-N

RANGE 21-W

ROAD PLAT No.

SCALE: 4 inches = 1 mile



said Board of County Commissioners for the use and benefit of the said Navaho County, free of charge or rent from this day until the aforesaid 1st day of January 1895, and said County shall have the right at any and all times to sell, remove or otherwise dispose of all County buildings or improvements erected or constructed on said lots during the existence of this agreement, and at the expiration of the obligation the said first party hereby agrees to accept the aforesaid cash payment of one (\$1) dollar as liquidation damages against said County if the Board elect not to make further payment & surrender said lots to said first party.

The first party further agree that, in the event of said Board of County Commissioners electing not to buy said tract of land at the expiration of above named date, they may have the privilege of reserving the ground on which the County Jail is now located, with its water or charge, for a period of four (4) years from the date of the instrument, and also have the privilege to move all or dispose of any County property or buildings on said land during the four year aforesaid.

* In the location of petitions signed by S. H. Perry, William Perry, J. W. Fatty et al. praying for road as follows: Beginning at the NWth of Sec 36 Tps 21 N. R. 21 W. and running South 1/4 mile fifty rods, thence South of West corner of the NWth of Sec 36 Tps 21 N. R. 21 W. corner of the NWth of Sec 36 Tps 21 N. R. 21 W. South, 1 1/2 miles on Sec line to the NW corner of Sec 2, Tps 21 N. R. 21 W., thence West 1/4 mile on Sec line to the S.W. cor of the NWth of the NWth of Sec 2, thence South 1/2 mile to the Center of the NWth of Sec 11, thence 1/2 mile to the Center of the NWth of Sec 2, thence South 3/4 mile to the NWth cor of the NWth of the NWth of Sec 36 Tps 21 N. R. 21 W. where it will connect with the ground line and where the road will run along the right of way. Survey appears to indicate that all of the land for petition was granted and was declared as public property. The petitioners have been notified and put on oath for public land in conformity with the law.